



1004592

VERIFICATION OF RECEIPT OF PUBLIC REVIEW MATERIALS

NAME OF LIBRARY: Bacon Memorial Public Library  
LIBRARY CONTACT: Ms. ~~Ms.~~ Beth Kowaleski  
LIBRARY LOCATION: 45 Vine Wood, Wyandotte, MI

FACILITY NAME: BASF-Wyandotte Works  
FACILITY LOCATION: 1609 Biddle Ave. Wyandotte, MI  
FACILITY U.S. EPA ID NO:

## MATERIALS RECEIVED:

Public Notice, Variance Request, related materials

DATE RECEIVED:  
DATE OF PUBLIC AVAILABILITY:

SIGNATURE OF RECEIVING PARTY: Beth Kowaleski 2-18-86

PLEASE RETURN (IN SELF-ADDRESSED, POSTAGE AND FEES PAID ENVELOPE) TO:

U.S. ENVIRONMENTAL PROTECTION AGENCY  
230 SOUTH DEARBORN  
5H S-JCK-13  
CHICAGO, ILLINOIS 60604

ATTENTION: Christine Klemme

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

DATE: March 28, 1986

SUBJECT: End of Comment Period for BASF-Wyandotte Variance Request  
-Wyandotte, MI facility

FROM: Christine Klemme *CK*

TO: Lorna Jereza

The comment period for the BASF-Wyandotte variance request ended on March 21, 1986. I have waited until today, and have received no requests for a public hearing. The comment received was from Hoover Universal which agrees with the variance request.

5HS-JCK-13

13 FEB 1986

Ms. Beth Kowaleski  
Head Librarian, Reference Section  
Bacon Memorial Public Library  
45 Vinewood  
Wyandotte, Michigan 48192

Dear Ms. Kowaleski:

Per my conversation with you on January 24, 1986, you agreed to make available for public review materials related to a BASF-Wyandotte variance request. The United States Environmental Protection Agency is encouraging comments from the public regarding this variance. The facility is located at 1609 Biddle Avenue, Wyandotte, Michigan.

Enclosed please find a copy of the Public Notice that will be placed in the Detroit News, and in the Wyandotte News-Herald on February 19, 1986. Also enclosed is the BASF-Wyandotte variance request, and related information. Please complete the enclosed verification form indicating your receipt of the materials. A stamped, self-addressed envelope is provided for this purpose. Please retain these materials for review until it is requested that they be returned.

Thank you for your cooperation. Please feel free to contact me at (312) 886-3715, if you have any questions concerning this matter.

Sincerely,

Christine Klenne  
Solid Waste Branch

Enclosure

Initials  
Date

Typist

Ch

Director

Ch  
2/6

Chief Clerk

Chief

AIS

Seay

dy  
2/6/86

AIS

Chief

PR  
2/7/86

WAB  
Chief

WMD  
Director



**Wehran Emcon**  
Northeast

Wehran Engineering Corporation  
850 Warrenville Road  
Suite 106  
Lisle, IL 60532-4326  
Tel: (708) 241-2901  
Fax: (708) 241-2601

October 26, 1994

Ms. Diana Gountanis  
Freedom of Information Division MIS-13J  
USEPA Region V  
77 West Jackson Boulevard  
Fax No.: 312/886-1515

RECEIVED R

OCT 27 1994

FREEDOM OF  
INFORMATION

001/002

Re: FOIA Request  
RCRA Enforcement Division

Dear Ms. Gountanis:

Pursuant to the Freedom of Information Act (FOIA) we are requesting available information from the RCRA Enforcement Division files. Please provide copies of Sections 1 through 5 (Jurisdiction, Parties Bound, Statement of Purpose, Findings of Fact and USEPA's Conclusions of Law and Determinations), including the associated cover letters, for the most recent Consent or Unilateral orders issued for the following facilities, located in Michigan:

Company Name

USEPA RCRA I.D.

- o BASF Corporation
- o CWC Castings Division Plant 3
- o Ford Motor Company Monroe Plant
- o Lamica Inc., Lamica Bronze
- o Stanley Works Stanley Tool

MID064197742  
MID005057005  
MID005057005  
MID006017966  
MID099124299

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Ms. Diana Gountanis  
October 26, 1994  
Page 2

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C/D  
Ms. Diana Gountanis  
October 26, 1994  
Page 2

We wish to emphasize that we are not requesting the entire document, but only the sections listed above. In addition, we are aware that statutory fees may be involved and we are willing to pay for reasonable expenses. If you have any questions regarding this request, please contact Chris Curtin or Jim McGuigan of this office.

Very truly yours,

Wehran EMCON

*Christopher Curtin*

Christopher Curtin, E.I.T.  
Assistant Project Manager

002/02

CAC:par

as for the sections listed  
above, we are willing to pay for  
reasonable expenses. If you have any questions regarding this request, please contact Chris Curtin or



STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



JENNIFER M. GRANHOLM  
GOVERNOR

STEVEN E. CHESTER  
DIRECTOR

March 19, 2007

**CERTIFIED MAIL**     **7002 0860 0007 7046 4881**

Ms. Nancy Lake Martin  
Senior Environmental & Safety Counsel  
BASF Corporation  
1609 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Ms. Martin:

**SUBJECT:**     National Pollutant Discharge Elimination System (NPDES)  
                 Permit No. MI0000540 (Permit)

This letter is being sent in response to your November 14, 2006, letter. The Michigan Department of Environmental Quality (MDEQ), Water Bureau (WB), considered your comments about BASF Corporation's (BASF) obligations to the United States Environmental Protection Agency (EPA) under the Resource Conservation and Recovery Act (RCRA) Corrective Action program (CA). You claimed in your letter that the work that BASF is planning on conducting under the RCRA CA to address onsite contamination will be a duplicative action as what the WB is asking BASF to undertake under Part 31, Water Resources, of the Natural Resources and Environmental and Protection Act, 1994 PA 451, as amended, MCL 324.3101 et seq. (Part 31), to address onsite contaminated groundwater venting to the Detroit River. The WB does not share that opinion. However, since receipt of your letter, the WB has participated in communications with BASF and the EPA regarding the work plans for the study and remediation of contamination on the site, including mercury. The WB has learned, since participating in the February 28, 2007, meeting in Chicago, with the EPA and BASF, that BASF may have data from onsite wells about the amount of mercury in the onsite groundwater. BASF has, apparently, already sent that information to the EPA, and agreed to send a copy to the MDEQ.

The MDEQ analyzed the data that BASF provided to the EPA in August 2006 along with a plan for investigating the groundwater/surface water interface (GSI) and hydrogeology and site contamination. The result of that analysis is enclosed with this letter as an October 3, 2006, interoffice communication from Mr. Steven Hoin.

Additionally, the MDEQ has completed the analysis needed to make a decision on BASF's requests for a Site Specific Level Currently Achievable (LCA) on Outfall 003, in the revised amount of 49.51 parts per trillion (ppt); relief from the twelve month rolling average permit compliance measurement; and a mass based total mercury discharge limit. The results of those analyses are enclosed with this letter and were recently sent to Mr. David Sheaves via electronic mail from the MDEQ, WB, Permits Section.

Your November 14, 2006, letter mentioned some concerns about BASF entering into the proposed Administrative Consent Order (ACO) at this time. The MDEQ is further evaluating the issues you brought up in your letter and will more fully respond in the near future. However, as stated in your letter, BASF is willing to voluntarily conduct low-level mercury monitoring on Outfalls 001 and 002 using EPA-approved method 1631, as was requested by the MDEQ as a

Ms. Nancy Lake Martin

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March 19, 2007

compliance action in the draft ACO sent to BASF on June 13, 2006. The MDEQ accepts BASF's offer to conduct this monitoring; and, as requested by your November 14, 2006, letter, agrees that the monitoring should be included in the new NPDES permit. The application for that new NPDES permit is due by April 4, 2007. Please instruct BASF to include any low-level mercury sampling that it has already completed on Outfall 001 and 002 in the permit application.

If you have any questions, please contact me directly at the number below.

Sincerely,



Katelyn Stroshein, Enforcement Specialist  
Enforcement Unit  
Field Operations Division  
Water Bureau  
517-373-3473

Enclosures

cc: Mr. Edward Nuernberg, BASF Corporation  
Mr. David Sheaves, BASF Corporation  
Mr. Juan Thomas, EPA  
Mr. Barry H. Selden, MDEQ  
Ms. Hae-Jin Yoon, MDEQ  
Mr. Kevin Goodwin, MDEQ  
Ms. Jennifer Hazelton, MDEQ  
Mr. Steven Hoin, MDEQ



STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



JENNIFER M. GRANHOLM  
GOVERNOR

STEVEN E. CHESTER  
DIRECTOR

June 13, 2006

CERTIFIED MAIL 7002 0860 0007 7046 2481

Mr. K. Edward Nuernberg  
General Manager  
1609 Biddle Avenue  
Wyandotte, Michigan 48192

Dear Mr. Nuernberg:

The BASF Corporation with North Works Facility (BASF) located in Wyandotte, Michigan, has been referred to the Department of Environmental Quality (DEQ), Water Bureau (WB), Enforcement Unit (EU), for escalated enforcement action. The referral was made due to violations of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.3101 et seq.

The violations include exceeding the monthly maximum mercury concentration limit established in BASF's National Pollutant Discharge Elimination System (NPDES) Permit No. MI0000540 for every month since February 2005, and exceeding the monthly maximum mercury-loading limit in February 2005 and April 2005, as measured by monthly grab samples. The permit limits for mercury restrict BASF from discharging more than 0.002 pounds of mercury per day (lb/day) and not more than 30 nanograms of mercury per liter of discharge water (ng/l), as measured by a monthly grab sample. The permit limits for the final concentration for mercury in the discharge effluent is the Level Currently Achievable based on a multiple discharger variance, as allowed in Rule 103(9) of the Part 4, Water Quality Standards, 1973 ACS R 323.1103(9), from the effluent limit of 1.3 ng/l, required by Rule 57 of the Water Quality Standards, 1973 ACS R 323.1057 (Water Quality Values for the Protection of Wildlife).

The WB is proposing to resolve BASF's violations by entering into an Administrative Consent Order (ACO). A draft ACO is enclosed with this letter and contains a compliance program. The ACO requires BASF to remedy all permit violations. Additionally, the ACO requires the reimbursement of costs for the DEQ's compliance and enforcement activities associated with the investigations and a civil fine for the violations of the state water quality standards.

Please be advised that BASF is subject to the penalties provided in Section 3115 of Part 31. Pursuant to Section 3115, "(1) The department may request the attorney general to commence a civil action for appropriate relief, including a permanent or temporary injunction, for a violation of this part or a provision of a permit or order issued or rule promulgated under this part. An action under this subsection may be brought in the circuit court for the county of Ingham or for the county in which the defendant is located, resides, or is doing business." And, "(a) (T)he maximum fine imposed by the court shall be not more than \$25,000.00 per day of violation."

At this time, BASF is being given the opportunity to present, in writing, any information that may have a bearing on this matter. In order for any written comments to be considered prior to the initial meeting, they must be received by the EU no later than **June 30, 2006**. Your presence is



June 13, 2006

requested at a meeting that has been scheduled on **July 13, 2006 at 10:00 a.m.** at Constitution Hall, located at 525 West Allegan Street, Lansing, Michigan 48933, to discuss the enclosed draft ACO. If you are unable to attend the meeting, or have any questions, please contact me directly.

Sincerely,



Katelyn Stroshein, Enforcement Specialist  
Enforcement Unit  
Field Operations Division  
Water Bureau  
517-373-3473

Enclosure

cc: Mr. Juan Thomas, United States Environmental Protection Agency  
Mr. Barry H. Selden, DEQ  
Ms. Hae-Jin Yoon, DEQ  
Ms. Jennifer Hazelton, DEQ

October 1, 2002

Mr. Bruce Roberts  
BASF Corporation  
1609 Biddle Avenue  
Wyandotte, MI 48192

Dear Mr. Roberts:

This letter serves as a response to your letter dated August 30, 2002 as well as some of the issues discussed during the July 23, 2002 meeting with representatives from the BASF Corporation, Parsons Engineering Science, Inc, Waterloo Hydrogeologic and USEPA. During this meeting, the BASF Corporation proposed corrective action objectives that consisted primarily of only controlling the migration of contaminated groundwater to the Detroit River. While this proposed corrective action objective is viable, this proposal does not include objectives necessary in limiting or preventing contaminant exposure to human and/or environmental receptors from contaminated soil exposure. The May 1, 1996, Advanced Notice of Proposed Rulemaking (ANPR), defines EPA remedial expectations. More specifically, EPA expects "to remediate contaminated soils as necessary to prevent or limit human exposure of human and environmental receptors and prevent the transfer of unacceptable concentrations of contaminants (e.g., via leaching, runoff, and or airborne emissions) from soils including subsurface soils, to other media". As part of your rationale and basis for establishing corrective action objectives at the BASF Corporation Facility, you state that the groundwater at the site has no apparent beneficial use, as such consideration of a remedial alternative that will "contain the plume" may be appropriate. While containing the contaminant plume or preventing the migration of contaminated groundwater into the Detroit River is certainly one alternative, this strategy if selected shall be combined with some form of source control particularly since the primary groundwater contaminant sources on-site is from the industrial fill material covering the 231 acre site. Hence corrective action objectives shall be established that in addition to controlling offsite migration of contaminated groundwater, shall include source control and identify site-specific soil clean up standards that ensures protection of human and ecological receptors against direct exposure as well as takes into account protection of other media from cross-media transfer (e.g. via leaching, runoff, or airborne emissions) of contaminants.